

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MOSSER COMPANIES, INC.,

No. C 17-05713 JSW

Plaintiff,

v.

ORDER OF REMAND

ROBERT EBERWEIN and
CHALEDEEANKA DEBORAH ANN
GOYENS,

Defendants.

Federal courts have a duty to raise and decide issues of subject matter jurisdiction *sua sponte* at any time it appears subject matter jurisdiction may be lacking. Fed. R. Civ. P. 12; *Augustine v. United States*, 704 F.2d 1074, 1077 (9th Cir. 1983). It having appeared that this Court lacks jurisdiction to hear this matter, the Court issued an order to show cause to Defendants to respond in writing by no later than November 27, 2017 why this case should not be remanded to the Superior Court of the State of California for the County of San Francisco. Defendants were admonished that failure to respond would result in the remand of this action for lack of subject matter jurisdiction.

The Court has received no answer to its order to show cause. Accordingly, this unlawful detainer action is remanded to the Superior Court of the State of California for the County of San Francisco.

IT IS SO ORDERED.

Dated: December 19, 2017


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

